

# **EXHIBIT 12**

## Jacksonville, FL

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UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

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IN RE: PHARMACEUTICAL ) MDL NO. 1456

INDUSTRY AVERAGE WHOLESALE )

PRICE LITIGATION ) CIVIL ACTION:

) 01-CV-12257-PBS

THIS DOCUMENT RELATES TO )

U.S. ex rel. Ven-A-Care of )

The Florida Keys, Inc. v. Abbott )

Laboratories, Inc., et al. )

No. 06-CV-11337-PBS )

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Videotaped Deposition of FIRST COAST SERVICE  
OPTIONS, INC., by and through JEAN VEAL, taken on  
behalf of Abbott Laboratories, Inc., on Tuesday,  
March 25, 2008, at Smith, Gambrell & Russell, LLP,  
50 North Laura Street, Suite 2600, Jacksonville,  
Florida, before Karen F. Howard, Registered  
Professional Reporter and Notary Public in and for  
the State of Florida at Large.

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1 MR. LAVINE: Object to form.

2 BY MS. RAMSEY:

3 Q When you were preparing for your  
4 deposition today, did you determine for which years  
5 you found arrays for each J-Code?

6 A No, I mean -- could you repeat that?

7 MS. RAMSEY: Can you read it back?

8 (The last question was read by the  
9 reporter as follows: "When you were preparing for  
10 your deposition today, did you determine for which  
11 years you found arrays for each J-Code?")

12 A I mean, we looked at some, but I don't  
13 think we looked at each year.

14 Q Do you know when the earliest year is that  
15 you found any J-Codes for -- or strike that.

16 Do you know for which year -- strike that  
17 again.

18 What's the earliest year for which you  
19 found an array for any of the subject J-Codes?

20 A I think the earliest was 1995.

21 Q I take it from 1991 through 1994 there  
22 aren't any J-Codes -- I'm sorry, there aren't any

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1       arrays for these subject J-Codes?

2           A       Well, I'm not saying there aren't any, but  
3       they were possibly in storage. We didn't pull  
4       everything out of storage.

5           Q       You didn't locate any?

6           A       Well, we didn't really look. I mean . . .

7           Q       In your searches that were conducted so  
8       far --

9           A       Right.

10          Q       -- none showed up?

11          A       That's correct.

12          Q       When I was reviewing the documents, I did  
13       not locate any arrays for 1995. Do you recall  
14       whether the 1995 array for which you referenced  
15       earlier was related to one of Abbott's subject J-  
16       Codes?

17          A       I think they were -- what I was looking at  
18       was -- it looked more like a spreadsheet, and they  
19       would have some NDCs on them. They would have the  
20       J-Code, NDCs on them. And, I mean, in a way they  
21       weren't really arrayed. That was NDCs that Lorna  
22       used to -- she was the one that did it before me --

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1           A     No. I mean, I wasn't in charge of the  
2     overall search. I mean, I think other departments  
3     besides just me were required to search.

4           Q     And when you were talking about documents  
5     that were in storage, did you mean in storage right  
6     at the offices of First Coast?

7           A     No. I meant -- there's a storage  
8     warehouse First Coast uses. I'm not sure where it  
9     is.

10          Q     And do you have an understanding as to the  
11     scope of the search that was performed with respect  
12     to those documents in storage?

13               MS. RAMSEY: Object to form.

14          A     No. I mean, I don't think everything was  
15     pulled out of storage. I think it was what was  
16     right at hand.

17          Q     Do you have an understanding as to why or  
18     why not?

19          A     Just because I think the documents said if  
20     it was unduly burdensome, don't pull them or don't  
21     search, something to that effect.

22          Q     Are there a lot of boxes in storage?